

AN ACT TO CLARIFY THE AUTHORITY OF THE OFFICERS OF
THE POLICE DEPARTMENT OF THE EASTERN BAND OF
THE CHEROKEE.

The General Assembly of North Carolina enacts:

Section 1. Article 13 of Chapter 160A of the North Carolina General Statutes with the exceptions contained herein, is hereby declared to be applicable to the Eastern Band of Cherokee Indians.

Sec. 2. For the purposes of the application of Article 13 of Chapter 160A of the North Carolina General Statutes, the following terms contained therein shall be construed as follows:

(a) "City" shall be construed to mean the Eastern Band of Cherokee Indians.

(b) "Council" or "governing body" shall be construed to mean the Tribal Council of the Eastern Band of Cherokee Indians.

(c) "City clerk" shall be construed to mean the clerk of the Tribal Council of the Eastern Band of the Cherokee Indians.

(d) "Corporate limits of the city" shall be construed to mean the boundaries of the trust lands of the Eastern Band of the Cherokee Indians wherever located within the State of North Carolina.

(e) "Law enforcement agency" or "local law enforcement agency" shall be construed to include the police department of the Eastern Band of the Cherokee Indians.

Sec. 3. Notwithstanding the provisions of G.S. 160A-286, the extraterritorial jurisdiction of the policeman of the police department of the Eastern Band of Cherokee Indians shall be:

(a) on all property owned by or leased to the Eastern Band of Cherokee Indians located within the trust lands of the Eastern Band of the Cherokee Indians.

(b) during the immediate and continuous flight of an offender in accordance with G.S. 15A-402(d).

Sec. 4. (a) Any person appointed or employed as Chief of Police, policeman, or auxiliary policeman shall, prior to the exercise of his authority pursuant to Article 13 of Chapter 160A of the North Carolina General Statutes, comply with the provisions of Chapter 17C of the North Carolina General Statutes and any rules or regulations adopted pursuant to the authority of Chapter 17C of North Carolina. The Courts of the State of North Carolina shall have the jurisdiction pursuant to G.S. 17C-11 to enjoin the police department of the Eastern Band of Cherokee Indians or any officer employed or appointed by said department from exercising any or all of the authority under color of State law conferred by Article 13 of Chapter